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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 ALVIN HENNINGTON, JR.

11 Plaintiff,

12 v.

13 U.S. CUSTOMS AND BORDER
PROTECTION

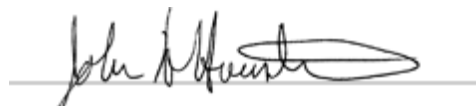
14 Defendants.
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Civil No.08cv0859 JAH (LSP)

ORDER VACATING HEARING

16 **IT IS HEREBY ORDERED** the hearing on Defendant United States Customs and
17 Border Protection's motion to dismiss (Doc. No. 7) is **VACATED**. The motion is taken
18 under submission without oral argument. See CivLR 7.1(d)(1).

19 DATED: September 8, 2008

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21 JOHN A. HOUSTON
United States District Judge
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